

Title 13
WATER AND SEWER SYSTEMS¹

Chapters:

- 13.02 General Provisions
- 13.04 Side Sewer Work and Connections
- 13.08 Design, Installation and Repair of Disposal Systems
- 13.12 Sewerage Cleaning and Removal
- 13.16 Federal Funding of Sewerage Disposal Systems
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CROSS REFERENCE:

For provisions requiring purchasers of real property to install a private sewer system when none is provided, and for provisions regarding required percolation tests for vendors of real property, see Chapter 8.60 of this code.

For provisions requiring nondelinquent property tax certification for septic tank permits, see Ch. 4.68 of this code.
See also K.C.C. Title 28. Metropolitan Functions.

¹[For statutory provisions relating to county sewerage, water and drainage systems, see RCW 36.94.]

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Chapter 13.02
GENERAL PROVISIONS

Sections:

- 13.02.010 Relationship to comprehensive plan and growth management act.
- 13.02.020 Notification to Tribes.

13.02.010 Relationship to comprehensive plan and growth management act.

Title 13 (Water and Sewer Systems) of the King County Code is hereby enacted to be consistent with and implement the comprehensive plan in accordance with RCW 36. (Ord. 11616 § 1 (part), 1994).

13.02.020 Notification to Tribes.

The county recognizes that many actions undertaken pursuant to Title 13, as amended, may impact treaty fishing rights of federally-recognized tribes. In order to honor and prevent interference with these treaty fishing rights and to provide for water quality and habitat preservation, the county shall provide notice to any federally recognized tribes whose treaty fishing rights would be affected by an action undertaken pursuant to this title, including but not limited to: development of wetlands, stream and river banks, lakeshore habitat of water bodies, or development directly or indirectly affecting anadromous bearing water bodies, including the promulgation of plans, rules, regulations or ordinances implementing the provisions of this title, whether or not review of such actions is required under the State Environmental Policy Act (SEPA), RCW 43.21C. (Ord. 11616 § 1 (part), 1994).

Chapter 13.04
SIDE SEWER WORK AND CONNECTIONS

Sections:

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13.04.260	Rules and regulations.
13.04.270	Collection of costs.
13.04.280	Constitutionality.
13.04.290	Enforcement.

13.04.010 Definitions. A. Certain words and phrases in this chapter, unless otherwise clearly indicated by their context, mean as follows:

1. "Director of public works; director of public health" means the director of the King County Department of Public Works; the director of the King County Department of Public Health or their authorized assistants or inspectors.

2. "Industrial waste" means any liquid, solid or gaseous substances, or combination thereof, resulting from any process of industry, manufacturing, commercial food processing, business, trade or research, including the development, recovery or processing of natural resources.

3. "Person" means any individual, firm, association, copartnership, corporation, governmental agency or political subdivision, whether acting by themselves or as a servant, agent or employee.

4. "Public sewer" means any sewer or appurtenant facility other than a side sewer, either owned or operated by or within the jurisdiction of King County.

5. "Sewage" means water-carried waste discharged from the sanitary facilities of buildings occupied or used by people.

6. "Slide sewer" means any sewer line used or installed by any person to conduct waste from any property to a public sanitary sewer.

7. "Residence" means a building designed and/or used to house a single family. The definition of residence shall include trailers on an individual lot and condominium units.

8. "Commercial" means premises used for or housing commercial or industrial concerns. For the purposes of this chapter, multifamily dwellings of two or more units, condominiums and mobile home courts shall be included in this definition.

9. "County sewerage systems" means any sewerage system consisting of sewerage facilities owned and/or operated by the county.

10. "Residential customer equivalent (RCE)" means each nine hundred cubic feet of water used or metered sewage flow shall be considered as one residential customer equivalent.

B. DEFINITION OF ADDITIONAL TERMS. Words, terms or expressions peculiar to the art or science of sewerage not herein defined shall have the respective meanings given in Glossary, Water and Sewage Control Engineering, published in 1949, prepared by a Joint Committee representing American Public Health Association, American Society of Civil Engineers, American Water Works Association, and Federation of Sewage Works Association. (The last association is now known as Water Pollution Control Federation). (Ord. 5221 § 2, 1980: Ord. 5083 § 1, 1980: Ord. 4608 § 3, 1979: Ord. 1322 § 2, 1972).

13.04.020 Connection with public sewer required. The owner or occupant of lands or premises shall connect the sewage waste pipes located thereon with the nearest accessible public sewer whenever, in the case of platted lands, there is a public sewer within one block thereof or, in the case of unplatted lands, within one hundred fifty feet thereof. The director of public works shall prescribe the manner in which such connection shall be made. When in the opinion of the director of public works or the director of public health a sewer connection is unreasonable or impossible, another method of sewage disposal may be specified.

The director of public health is authorized and empowered, and it shall be his duty to prohibit the use of any privy, well, septic tank or vault upon any premises whenever the use and maintenance thereof is detrimental or dangerous to public health and safety, to order any such privy, well, septic tank or vault to be disinfected and filled with fresh earth, and to order the plumbing installed in any structure or building located thereon to be connected with a public sewer system. (Ord. 1322 § 3, 1972).

13.04.030 County may connect and assess cost. Whenever the public health or public safety requires that any building or premises be connected with the public sewer in the manner provided in Section 13.04.020, the director of public health shall serve upon the owner, agent or occupant of said premises a notice in writing, specifying the time within which such connection must be made, which shall not be more than sixty days from the date of service of such notice. If such owner, agent or occupant fails, neglects or refuses to connect said building or premises with the public sewer within the time specified in such notice, King County may make such connection, and the cost of the connection shall be assessed against the property so connected, and the amount thereof shall become a lien upon the premises so connected. (Ord. 2910 § 14, 1976: Ord. 1322 § 4, 1972).

13.04.040 Opening public sewer. It is unlawful for any person to make any opening in any public sewer or to connect any private sewer or side sewer therewith, or to lay, repair, alter or connect any private sewer or side sewer in a public road, street, avenue, alley or other public place without complying with the provisions of this chapter. (Ord. 1322 § 5, 1972).

13.04.050 Side sewers in public road - bond required. It is unlawful for any person to make any opening in any public sewer situated in a public road or to excavate for the purpose of sewer installation in any public road, street, avenue, alley or other public place unless such person has first obtained and filed with the director of public works a surety bond in the sum of two thousand dollars. (Ord. 1322 § 6, 1972).

13.04.060 Restoration of public roads. Where, in order to make a connection to a public sewer, it is necessary to excavate in any public road, street, avenue, alley or other public place, such excavation shall be restored promptly and expeditiously following inspection and approval of the new line. The requirements for such excavation and restoration shall be as follows:

A. BITUMINOUS OR ASPHALTIC CONCRETE SURFACES.

1. Surfacing shall be cut completely through before removal. Surfacing shall be cut a minimum of one foot wider than the subbase trench excavation. Edges of the existing surfacing shall be trimmed to a neat line. Where excavations are made for the full width of the surfaced roadway, existing surfacing shall be cut a sufficient width to permit the use of an eight-ton roller for compaction of the new asphalt concrete surfacing.

2. Backfilling shall be with select material. Native material may be used for backfill only when specifically authorized by the director of public works.

3. Backfill material shall be installed in six-inch lifts, and each lift shall be mechanically tamped and compacted to ninety-five percent of maximum density as measured by the modified AASHTO method.

4. The top six-inch lift of backfill material shall be three-fourths inch crushed surfacing.

5. All asphaltic concrete or bituminous surfaces shall be restored by the application of one course of two inches of compacted Class B asphaltic concrete produced by an asphalt plant approved by the director of public works.

Applicable items of Section 32 of the Washington State Department of Highways Standard Specifications shall apply. Asphalt paint shall be applied to the joints of existing surfacing prior to application of new surface material. Where excavations are made the full width of the surfaced roadway, a minimum eight-ton roller shall be used for compaction of the new asphalt surfacing. If final restoration of surfacing is delayed for weather or other reasons, a temporary repair shall be made by the installation of cold-mix asphalt.

B. CONCRETE PAVING AND CONCRETE BASE WITH ASPHALT SURFACING. The tunnel method or the cut-and-tunnel method shall be used in preference to the open-cut method of excavation in concrete or concrete base pavement. Where cutting is necessary, the following shall be required:

1. Line drilling with rotary drills shall be required along the trench or cut outline. Six-inch spacing center-to-center shall be required for drill holes in pavement nine inches or less in depth. Drill holes shall be perpendicular to the surface. Drill holes parallel to a longitudinal joint will not be required if the panel removed extends to the joint itself.

2. Backfilling shall be with select material. Native material shall be used for backfill only when specifically authorized by the director of public works.

3. Backfill material shall be installed in six-inch lifts, and each lift shall be mechanically tamped and compacted to ninety-five percent of maximum density as measured by the modified AASHTO method.

4. The top four-inch lift of backfill material shall be five-eighths inch, minus crushed surfacing.

5. Concrete surfacing or concrete base shall be Class A cement concrete pavement. Applicable items of Section 33 of the Washington State Department of Highways Standard Specifications shall apply.

6. Asphaltic concrete surfacing shall be Class A asphaltic concrete.

7. If final restoration of surfacing is delayed for weather or other reasons, a temporary repair shall be made by the installation of cold-mix asphalt.

C. UNSURFACED RIGHT-OF-WAY AREAS. Trench backfill through right-of-way areas other than surfaced areas shall be native material except where native material shall be deemed unsuitable by the director of public works. Backfill through unsurfaced right-of-way areas shall be compacted to ninety percent of maximum theoretical density. (Ord. 1322 § 7, 1972).

13.04.070 Traffic control at sewer excavations. On arterials or other streets or roads designated by the director of public works, all traffic lanes must be open for rush hours. The use of uniformed flagmen may be required. Generally, construction on such arterials, streets and roads will be restricted to the hours between nine-thirty a.m. and three p.m.

On residential streets, roads, avenues, alleys or other public areas where sewer excavations are made perpendicular to traffic flow, one-half of the street, road, or alley shall be kept open for moving traffic at all times.

All work shall be carried on with due regard for the safety and convenience of the public. Open trenches shall be provided with barricades that can be seen at a reasonable distance, and at night shall be adequately lighted. Lighted signs for detours and construction in progress shall be provided. Traffic control devices shall be in accordance with Manual on Uniform Traffic Control Devices - Part V, Traffic Controls for Highway Construction and Maintenance Operations, published by the U. S. Department of Commerce, Bureau of Public Roads, 1961. Safety instructions from the director of public works shall be strictly observed but following of such instructions shall in no way relieve the person doing construction of his responsibility or liability. (Ord. 1322 § 8, 1972).

13.04.080 Opening public sewer - Permit required. It is unlawful for any person to make an opening in any public sewer, or to connect any private sewer or side sewer therewith, or to lay, repair, alter or construct any sewer to be connected to a public sewer unless such person has first obtained a side sewer permit from the director of public works. (Ord. 1322 § 9, 1972).

13.04.090 Side sewer permit - How obtained. In order to obtain the permit provided for in Section 13.04.080, the owner, occupant or the side sewer contractor employed to do the work shall file an application with the director of public works stating the name of the owner or occupant of the premises to be connected, giving lot, block, and addition or other legal description, the number of buildings on said premises, and the purpose for which they are, or are to be used, together with plans drawn to a satisfactory scale, and

specifications showing the whole course of the line from the public sewer or other outlet, to its connections with the plumbing or drain from the building or premises and all branches to be connected. The plans and specifications shall be submitted to the director of public works for approval, and he may change or modify the same and designate the manner in which such connecting sewers shall be connected to the building plumbing, the place where such connections with the public sewer shall be made, and specify the material, size, and grade of such connecting sewer, and shall endorse his approval on such plans and specifications as originally prepared or as modified and changed.

Upon approval of said plans and specifications, and upon payment of all required fees and charges and upon approval of a surety bond, if required, the director of public works shall issue a permit to perform the work.

The director of public works shall have the right, and is authorized, to refuse to issue a permit to any person, or side sewer contractor, where a reasonable doubt exists that such person, or side sewer contractor, may refuse to, or be unable to comply with the provisions of this chapter. If, in the judgment of the director of public works, the reputation or past performance of any person indicates a lack of ability to install a side sewer in accordance with the accepted standards of the trade, and the provisions of this chapter, a side sewer permit shall be denied that person. (Ord. 1322 § 10, 1972).

13.04.100 Fees for permits. A. The fee for a permit issued as herein provided shall be sixty dollars. Permit fee shall include the cost of the required inspection. Work shall be completed under the terms of the permit within a period of sixty calendar days. In the event that work is not completed within sixty calendar days, a new permit must be obtained and an additional fee of sixty dollars paid.

B. Low Income Elderly Discount. The county service charge for residents of county-operated sewer systems who satisfy the criteria set forth in this section may receive a low income elderly discount of \$2.20 applied to the county service charge portion of the base sewer rate.

C. The criteria shall be that:

1. The head of household or spouse is sixty-two years of age or older;
2. The gross household income may not exceed \$10,764 for a one-person household or \$14,076 for a two-person household;
3. Water service to the dwelling is separately metered. (Ord. 7018 § 2, 1984: Ord. 6245 § 1, 1982: Ord. 5784 § 1, 1981: Ord. 5221 § 5, 1980: Ord. 4608 § 7, 1979: Ord. 1322 § 11, 1972).

13.04.110 Charges for service. All property to which county-operated sewer service is available shall pay the service charges set forth in the following schedule:

A. The base sewer rate shall be:

Metro treatment and disposal charge/RCE	\$7.80
County service charge/RCE	<u>6.60</u>
Base sewer rate/RCE	\$14.40

B. The base sewer rate shall be the minimum monthly charge per connection for the first RCE or any portion thereof.

C. Charges for water used or effluent metered beyond the initial nine hundred cubic feet shall be proportional to the quantity used or metered.

D. Costs not included in the county portion of base sewer rate and which

are specific to a particular county-operated sewerage system shall be as set forth below:

Trend ULID No. 1: The monthly service for connections to the Trend ULID sewerage system shall include the following amounts:

Bond maintenance and redemption	\$1.75/RCE
Kirkland wheeling charge	0.40/RCE

Metro: In addition to the Metro treatment and disposal charge reflected in the base sewer rate, the county shall bill each customer any additional amount which the county is billed by Metro for that customer.

E. Commercial customers served by a county-operated sewer system, who can demonstrate to the satisfaction of the director of public works that a portion of the customer's water usage does not enter the sanitary sewer system may receive a reduction in the service charge. (Ord 7018 § 3, 1984: Ord. 6600 § 1, 2, 1983: Ord. 6245 § 2, 1982: Ord. 5784 § 2, 1981: Ord. 5221 § 3, 1980: Ord. 4608 § 4, 1979).

13.04.120 Collection of charges. A. Richmond Beach Sewer and Drainage District No. 3 and Skyway Sewer and Drainage District No. 4. The maintenance assessment for the Richmond Beach and Skyway service areas shall be billed annually and may be paid in two installments as set forth in RCW 85.08.480.

B. All other county-operated sewer systems. All other county-operated sewer systems shall be charged in accordance with the provisions of RCW 36.94.140. The service charge for connections to the county-operated sewer systems may be billed bimonthly with charges due and payable to the county within thirty days of the billing date. A late payment penalty of ten percent of the amount due will be imposed if payment is not received within fifty days of the billing day. (Ord. 4608 § 5, 1979).

13.04.130 Lien for delinquent charges. King County shall have a lien for delinquent service charges together with interest at eight percent per year from the date due until paid.

A lien may be filed against the property if payment is not received within ninety days of the due date. The lien shall be for all charges, interest, and penalties and shall be attached to the premises to which the services were furnished. The lien shall be superior to all other liens and encumbrances except general taxes and local and special assessments of the county.

Upon the expiration of sixty days after the attachment of the lien, the county may bring suit in foreclosure by civil action in the Superior Court of King County. In addition to the costs and disbursements provided by statute, the court may allow the county a reasonable attorney's fee. The lien shall be foreclosed in the same manner as foreclosure of real property tax liens. (Ord. 4608 § 6, 1979).

13.04.140 Sewer connection charges. A sewer connection charge shall be paid to the county before any structure not previously served by a county sewer system is connected to the system.

The connection charge shall be computed according to the following schedule:

A. The connection charge for any structure not previously served by a county-operated sewer system, or for additional water meter connections to property previously served, shall be based upon the size of the water meter serving the property. The connection charge shall be:

1/2 or 3/4 inch water meter	\$ 165
1 inch water meter	185
1-1/2 inch water meter	220

2 inch water meter	260
3 inch water meter	375
4 inch water meter	535
6 inch or larger water meter	1,000

In cases where the water meter size is increased, an additional charge for the differential between the smaller and larger meter sizes shall be made.

B. The additional connection charge for property located outside the assessment boundaries of a county-operated sewer system and not previously served by the system, may vary according to the capital costs required to provide sewer service to the sewer system and shall be as set forth below:

Sewer 7 Drainage Districts No. 3 and Sub. 1. The additional connection charge shall be \$.027 per square foot plus \$5.3301 per front foot of property served.

Sewer and Drainage District No. 4. The additional connection charge shall be \$.02 per square foot of property served.

Trend ULID No. 1. The additional connection charge shall be \$.02 per square foot of property served plus \$1,375 per lot; except that if the service is provided by a developer extension the \$1,375 per lot charge will not be imposed.

Duwamish ULID No. 2. The additional connection charge shall be computed in the same manner as the final assessments for property assessed within the ULID boundaries. (Ord. 5221 § 4, 1980: Ord. 5083 § 2, 1980: Ord. 4608 § 8, 1979).

13.04.150 Inspection of side sewers. It is unlawful for any person to cover or back-fill any side sewer, private sewer or lateral without having called for and received an inspection and approval by the director of public works. The director of public works or his authorized inspectors shall be given twenty-four hours notice when such construction is ready for inspection.

The director of public works shall inspect and make such tests deemed necessary to ensure that the new work meets all requirements of the plans, specifications and permit and is in strict accordance with all applicable provisions of this chapter in respect to materials and workmanship.

The director of public works may require side sewers to be tested by means of water or air. Such tests, where required, shall be at the expense of the person installing the side sewer. (Ord. 1322 § 12, 1972).

13.04.160 Work without permit to be stopped. It shall be the duty of the director of public health or the director of public works in case they find any person engaged in the work of breaking ground for the purpose of making connection with a public sewer, to ascertain if such person has a permit from the director of public works to make such sewer connection, and in the event that such person has no permit for making such connection it shall be the duty of the director of public works to notify the offending person to stop work immediately. (Ord. 1322 § 13, 1972).

13.04.170 Permit fee when sewer district has agreement with county. In all sewer districts having agreements and bonds posted with King County guaranteeing restoration of roads after construction of sewer system the fee of two dollars for digging in the street for a sewer connection shall be waived on all permits issued until the street has been satisfactorily restored and accepted by King County, except if in the opinion of the county road engineer the contractor or sewer district are unnecessarily delaying

restoration of any street they shall be notified by the county that all connections in said street from then on shall be subject to the two dollar fee. (Res. 12873 (part), 1951).

13.04.180 Side sewers - Requirements, materials and workmanship. A. All side sewers installed shall conform to the following minimum requirements:

1. Minimum grade: Two percent;
2. Minimum size: Four inches;
3. Minimum cover at edge of surfaced area of road, street, avenue, alley or other public way: Four feet;
4. Minimum cover at property line: One foot, six inches;
5. Minimum cover inside property line: One foot.

B. Side sewers shall be constructed of any of the following materials, or other equivalent materials when approved by the director of public works ;

1. Concrete sewer pipe, ASTM C-14, with rubber gasket joints;
2. Vitrified clay pipe, non-glazed, ASTM C200-55T, with "Speed Seal" or equal joints;
3. Cement-asbestos pipe, ASTM C296 or C428 with standard gasket joints;
4. Soil pipe, ASTM A21.6 or A21.8 with mechanical joints or roll-on type rubber joints;
5. Cast iron pipe, ASTM A21.6 or A21.8 with mechanical joints or roll-on type rubber joints.

C. Cast iron pipe or soil pipe shall be used where a side sewer is constructed within ten feet of a potable water pipe. Special pipe bedding consisting of gravel or concrete may be required, where, in the judgment of the director of public works, unsuitable ground conditions exist.

D. The connection of the side sewer into the public sewer shall be made at a wye or tee if such is available at a suitable location. If no properly located wye or tee is available, a neat hole shall be cut into the public sewer to receive the side sewer. The spigot end shall be cut so as to not extend past the inner surface of the public sewer. Entry to the public sewer shall be made at an angle of not less than forty-five degrees. A smooth, neat joint shall be made and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection when approved by the director of public works.

E. All side sewer pipes shall be laid in a straight line between bends. All changes in grade or line shall be made with a one-eighth bend or a wye.

F. Whenever a situation exists involving an unusual danger of backups from the public sewer, the director of public works may prescribe a minimum elevation at which the side sewer may be discharged to the public sewer. (Ord. 1322 § 14, 1972).

13.04.190 Use of the public sewers. It is unlawful for any person to discharge or cause to be discharged any of the following into any public sewer or into any side sewer discharging into any public sewer: Subsoil, foundation, footing, window-well, door-well, yard, or unroofed basement floor drains; unpolluted industrial process water; roof-drains or downspouts from areas exposed to rainfall or other precipitation; surface or underground water from any source.

The director of public works is authorized and empowered and it shall be his duty to prohibit the discharge of storm water, rainwater, roof runoff, cooling water or unpolluted industrial process waters or wastes directly or indirectly into any public sewer, and to prohibit the discharge of:

A. Any liquid or vapor having a temperature higher than one hundred fifty

degrees Fahrenheit:

B. Any water or waste which may contain more than one hundred parts per million, by weight, of fat, oil, or grease;

C. Any gasoline, benzine, naphtha, fuel oil, or other flammable liquid, solid or gas;

D. Any garbage that is not properly shredded garbage;

E. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewer system;

F. Any waters or wastes having a pH lower than five point five or higher than nine point zero or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewer system;

G. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant;

H. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;

I. Any noxious or malodorous gas or substance capable of creating a public nuisance.

When, in the judgment of the director of public works, the use of grease, oil and sand traps is required and necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, such traps shall be installed by the owner or occupant of any property or premises before such property or premises is connected to the public sewers. Where installed, all grease, oil and sand traps shall be maintained by the owner or occupant, at his expense, in continuously efficient operation at all times.

It is unlawful to admit into the public sewers any waters or wastes having: A. A five-day biochemical oxygen demand greater than three hundred parts per million by weight; or B. Containing more than three hundred fifty parts per million by weight of suspended solids. Where necessary, in the opinion of the director of public works, the owner or occupant of property or premises producing waste of such objectionable characteristics shall, at his own expense, provide such preliminary treatment as is required to bring the waste into conformity with the requirements of this chapter.

Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his expense.

All waste discharged to the public sewers shall be in conformity with the current requirements of the municipality of metropolitan Seattle. (Ord. 1322 § 15, 1972).

13.04.200 Protection from damage. It is unlawful for any person to maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the public sewer system. (Ord. 1322 § 16, 1972).

13.04.210 Powers and authority of inspectors. The director of public works and the director of public health, their inspectors and other authorized employees, bearing proper credentials and identification, shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing and making connection of sanitary facilities

of any structure or premises to the public sewer in accordance with the provisions of this chapter. (Ord. 1322 § 17, 1972).

13.04.220 Repair of broken or obstructed side sewers. When any house connection or side sewer is constructed, laid, connected or repaired and does not comply with the provisions of this chapter or where it is determined by the director of public health or the director of public works that a house connection or side sewer is obstructed, broken or inadequate and is a menace to health or is liable to cause damage to public or private property, the director of public health or the director of public works shall give notice to the owner, agent, or occupant of the property at which such condition exists and if such owner, agent, or occupant fails to repair the same after ten days when notified to do so by the director of public health or director of public works, King County may perform such work as may be necessary to comply with this chapter. The reasonable cost of such work as done by King County shall be collected from the person responsible for such condition, or the amount thereof shall become a lien upon the said property and the prosecuting attorney is authorized, empowered and directed to collect such cost either by the foreclosure of said lien or by a suit against the owner or occupant of such property, or other person responsible for such condition, the suit shall be maintained in the name of King County, as plaintiff, in any court of competent jurisdiction. Such action shall be commenced within eight months. (Ord. 1322 § 18, 1972).

13.04.230 Planting of certain trees and shrubbery prohibited - Removal of obstructions in sewers. It is unlawful to plant willow, poplar, cottonwood, soft maples, or gum, or any other tree or any shrub whose roots are likely to obstruct public or private sewers within thirty feet of any public sewer. The director of public works is authorized to remove any trees or shrubs from any public street, or the roots of any trees or shrubs which extend from any public street, when said roots or trees thereof are obstructing, or when he shall determine that they are liable to obstruct public or private sewers; provided, however, that he shall give ten days' notice in writing to the owner or occupant of the abutting property to remove the same. If such owner or occupant fails or refuses to do so, the reasonable cost of such removal when done by King County, shall be a lien upon the abutting property from which such trees or shrubs are removed. The prosecuting attorney is authorized, empowered and directed to collect such charge by suit maintained in the name of King County as plaintiff, in any court of competent jurisdiction. Such action shall be commenced within eight months. (Ord. 1322 § 19, 1972).

13.04.240 Pumps and pressure lines. In the event that buildings, structures, or premises are situated at an elevation which does not allow for the proper gravity flow of sewage to the public sewer, such sewage may be lifted by artificial means and discharged into the public sewer. Pumps and pressure lines shall remain the private property of the owner or occupant and he shall be responsible for their operation and maintenance. (Ord. 1322 § 20, 1972).

13.04.250 Developer extensions of the public sewer. Private developers, owners, or occupants of property not serviced by public sewers may be authorized by the county executive to construct extensions to public sewers. Such extensions shall be designed by a licensed professional engineer experienced in the design of public sewers. Contracts for extensions of the

public sewer shall provide: that the property to be served shall be annexed to the area of the sewer district; that the developer shall pay all costs and fees related thereto including, but not restricted to, engineering, inspection, construction, permits, fees, legal costs; that upon completion of all work and restoration and the payment of all fees and costs thereto, and upon acceptance of the work by the director of public works, a bill of sale and all easements required shall be furnished the sewerage and drainage district. A performance bond, written by a surety authorized to do business in the State of Washington, shall be provided prior to beginning of the construction work. This performance bond, written for the dollar amount of the construction contract, shall guarantee the work for a period of one year after acceptance by the director of public works.

The director of department of public works may contract with developers of such extensions to collect a latecomer's fee for the reimbursement of such owners and their assigns, for a period not to exceed fifteen years, by any owner of real estate who did not contribute to the original cost of such sewer facilities and who subsequently tap onto or use the same, of a fair pro rata share of the cost of the construction of said sewer facilities, including not only those directly connected thereto, but also users connected to laterals or branches connecting thereto. Said contract will be recorded with the county office of records.

The department of public works may, by agreement with the developer, retain twenty percent of said latecomer fees for administrative costs.

Before construction work may commence on extensions of the public sewer, the plans and specifications of the proposed work shall be reviewed by the Washington State Department of Ecology and the Washington State Department of Social and Health Services and formal approval of said plans and specifications shall be received by the director of public works from both state agencies, in accordance with the provisions of RCW 90.48.110, 43.21A.060 and 56.020.060. Plans and specifications on proposed extensions to the public sewers shall be submitted to the municipality of metropolitan Seattle for its review and approval. (Ord. 7016 § 2, 1984: Ord. 1322 § 21, 1972).

13.04.260 Rules and regulations. The director of public works or director of public health may make and issue such additional rules and regulations as may be expedient and necessary to carry out the provisions of this chapter. (Ord. 1322 § 22, 1972).

13.04.270 Collection of costs. Whenever any sum of money is to be charged as a lien against a particular property upon which work is to be done by King County under the terms and provisions of this chapter, the manner and method of collecting said amounts shall be substantially as follows:

The owner or agent of the property shall be given a notice in writing by King County. Said owner or agent is required to do the particular work at the expense of the property owner. The notice shall be in substantially the following form:

"To Owner, and
..... Agent, of that
certain property described as:

.....:
You are hereby notified to perform the following work upon the above
described property within ten (10) days of the date of the service of
this notice upon you, viz:

.....
And you are further notified that if you do not perform said work with
-in said period of ten (10) days, then King County will perform the
same and charge the amount of said work against said property, and
will proceed to collect the same according to law.

KING COUNTY

By"

A copy of this notice shall be posted upon the property affected and a
further copy shall be mailed to the agent or owner at his last known address.

In case the agent or owner fails to perform said work within ten days after
said notice has been mailed and posted, then the work shall be done by King
County. As soon as practicable after said work is performed, the owner or

agent shall be notified in the same manner as provided above, that the work has been done by King County and the amount of the charge for doing said work.

The owner or agent shall be required to pay to the comptroller of King County said amount within thirty days after the date of the posting and mailing of said notice to him.

The form of notice just provided for shall be substantially as follows:

"TO Owner, and
..... Agent, of
.....:

You are hereby notified that pursuant to a former notice given you upon the day, of, 19, that King County has performed the work required to be done pursuant to the said former notice, and that the cost and expense of doing said work is the sum of dollars. You are further notified that unless you pay said amount to the Comptroller or file objections against said amount with the director of public works within thirty days of the date of service of this notice upon you, that the same shall be a lien against the above described real property and will be collected by King County according to law.

KING COUNTY

By"

A person may appeal within thirty days charges resulting from the department of public works' actions, as described in Sections 13.04.180 and 13.04.190, by filing written objections on forms provided by the director of public works. The director of public works shall transmit a copy of the completed form and other papers received in connection with the appeal to the King County board of appeals. The board of appeals shall within sixty days of the initial filing with the director of public works, set a hearing date on the appeal. The board of appeals shall adopt such procedures and regulations that may be necessary for conducting a hearing and rendering a decision.

After said hearing, or after the expiration of the thirty-day period provided for filing objection, the amount thereof shall become a lien against the property upon which said work was performed, and the prosecuting attorney is authorized to proceed to collect said amount in any lawful manner. (Ord. 1322 § 23, 1972).

13.04.280 Constitutionality. If any provisions of this chapter shall be construed by any court to be unconstitutional, such invalidity shall not affect the other provisions of this chapter. (Ord. 1322 § 24, 1972).

13.04.290 Enforcement. The director of the Seattle-King County department of public health is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23. (Ord. 2910 § 2 (part), 1976: Ord. 1322 (part), 1972).

Chapter 13.08 DESIGN, INSTALLATION AND REPAIR OF DISPOSAL SYSTEMS¹

CROSS REFERENCE

¹[For provisions regarding the department of public health board of review, see Ch. 2.32 of this code.]

Sections:

- 13.08.010 Definitions.
- 13.08.020 Chapter not retroactive.
- 13.08.030 Designer's certificate.
- 13.08.040 Installer's certificate.
- 13.08.050 Permits.
- 13.08.055 Mobile home and recreational vehicle park inspection fee.
- 13.08.060 Where private sewage disposal systems required.
- 13.08.070 Location of systems.
- 13.08.080 Design of systems.
- 13.08.090 Installation and alteration.
- 13.08.100 Inspection.
- 13.08.110 Approval or disapproval of system - Notice.
- 13.08.120 Maintenance of system.
- 13.08.130 Sewage disposal technical advisory committee.
- 13.08.140 Enforcement.
- 13.08.150 Severability.

13.08.010 Definitions. Certain words and phrases in this chapter, unless otherwise clearly indicated by their context, mean as follows:

A. "Approved" means approved in writing by the director of public health.

B. "Director of public health" means the director of the Seattle-King County department of public health or his authorized representative.

C. "Sanitary drainage system" means the piping which conveys sewage from plumbing fixtures to a public sewer or private sewage disposal system.

D. "Sewage" means any liquid or liquid-borne waste from the ordinary living processes, or liquid or liquid-borne waste which contains animal or vegetable matter in suspension or solution, or liquid or liquid-borne waste which may contain chemical in solution, and which may be lawfully discharged into a public sanitary sewer.

E. "Sewage disposal system" means sanitary drainage systems, septic tanks, leaching pits, surface and subsurface leaching filter beds, and appurtenances; or other approved facilities for the disposal of sewage by means other than through a public sewer.

F. "Repair" means the replacement, addition, or alteration of a septic tank, distribution box, tight line, or other appurtenances to an existing individual sewage disposal system, and including any replacement, addition, or alteration to a subsurface disposal field where at least a portion of the original subsurface disposal field is used. In those instances where no portion of the existing drainfield or septic system is to be used, it will be considered the same as a new system and will require a design.

G. "Resident owner or intended resident owner" means a person who constructs not more than one residence in any one year for his own occupancy. (Ord. 1385 § 1, 1972: Ord. 1139 § 1, 1972: Ord. 931 § 1, 1971).

13.08.020 Chapter not retroactive. This chapter shall not apply to any work on a sewage disposal system for which a permit had been issued by the director of public health, and which permit was valid and existing at the time of adoption of the ordinance codified herein, but any such work shall be subject to applicable resolutions existing at the time such permit was issued. (Ord. 1139 § 3, 1972: Ord. 931 § 3, 1971).

13.08.030 Designer's certificate. A. It is unlawful to engage in business as a sewage disposal system designer without a currently valid sewage

disposal system designer's certificate of competency, as provided for in this chapter, or a currently valid state of Washington sanitary or civil engineer's license.

B. The fee for a sewage disposal system designer's certificate of competency shall be fifty dollars per year.

C. The fee for the sewage disposal system designer's examination shall be twenty-five dollars, payable in advance and not refundable. Separate, special examinations shall be given to those licensed designers desiring to design dosing systems and/or prepare subdivision reports. The fees for these additional examinations shall be ten dollars each, payable in advance and not refundable.

D. The director of public health may suspend or revoke any sewage disposal system designer's certificate of competency for incompetency, negligence, misrepresentation, or failure to comply with this chapter or the rules and regulations of the director of public health adopted pursuant to this chapter. (Ord. 2910 § 15, 1976: Ord. 1385 § 2, 1972: Ord. 1139 § 4, 1972: Ord. 931 § 4, 1971).

13.08.040 Installer's certificate. A. It is unlawful to engage in business as a sewage disposal system installer without a currently valid sewage disposal system installer's certificate of competency.

B. The fee for a sewage disposal system installer's certificate of competency shall be one hundred dollars per year.

C. Prior to the issuance of a commercial installer's certificate of competency, the applicant must provide a surety bond approved as to form by the King County prosecuting attorney in the sum of one thousand dollars running to King County, Washington, executed by a surety company authorized to do business in the state of Washington. The bond shall be conditioned that the holder of the certificate of competency and his agents in performing work governed by the ordinance shall exercise all reasonable care and skill and shall fully comply with all provisions of this chapter pertaining to sewage disposal.

D. Application for a sewage disposal system installer's certificate of competency shall be made to the director of public health, who may examine the applicant, and may deny the application if in his judgment the applicant is not qualified to install sewage disposal systems.

E. The director of public health may suspend or revoke any sewage disposal system installer's certificate of competency for incompetency, negligence, misrepresentation, or failure to comply with this chapter or the rules and regulations of the director of public health adopted pursuant to the ordinance codified in this chapter.

F. Sewage disposal system installer's certificates of competency shall expire December 31st of each year. (Ord. 2910 § 16, 1976: Ord. 1139 § 5, 1972: Ord. 931 § 5, 1971).

13.08.050 Permits. A. It is unlawful to construct, install, repair or alter a sewage disposal system without a sewage disposal system permit. Such permit shall be posted on the building or premises where the work permitted is being done, before the work is begun, and unless revoked, shall not be removed until such work has been finally approved by the director of public health.

B. The fee for a sewage disposal system permit shall be fifteen dollars for such system serving a single family residence, or twenty-five dollars for any other such system.

C. Application for a sewage disposal system permit shall be made to the

director of public health, who may deny the application if in his judgment the physical features of property on which it is proposed to locate the sewage disposal system, or the design of the proposed sewage disposal system, are not adequate for safe operation of such system.

D. Application for a sewage disposal system permit shall be supported by the following:

1. A completely dimensioned plot plan, drawn to scale, showing direction of surface drainage, approximate slope, and other topographical features relevant to the design and installation of an adequate and efficient sewage disposal system.

2. Construction plans and specifications.

3. A log of soil formation and ground water level as determined by test holes in the proposed disposal field.

4. A statement of absorption characteristics of the soil as determined by percolation tests made in the proposed disposal field.

5. Such other information as the director of public health may require.

Provided, however, that Paragraph D., Items 1, 2, 3, and 4, are not applicable when application is made for a sewage disposal permit for repairs to an existing system.

E. Sewage disposal system permits shall expire one year from date of issue. (Ord. 1139 § 6, 1972: Ord. 931 § 6, 1971).

13.08.055 Mobile home and recreational vehicle park inspection fee. An annual fee shall be charged by the Seattle King/County health department for inspection of mobile home parks and recreational vehicle parks, based on the following schedule:

Spaces	Fee
Two to ten mobile homes or recreational vehicle spaces, inclusively	\$50.00 per year
For each additional space over ten	\$ 2.50 per year

(Ord. 8330 § 35, 1987).

13.08.060 Where private sewage disposal systems required. Every plumbing fixture and every sanitary drainage system not connected to a public sewer, or not required by law to be connected to a public sewer, shall be connected to a private sewage disposal system. (Ord. 1139 § 7, 1972: Ord. 931 § 7, 1971).

13.08.070 Location of systems. In Full Service Areas of the Urban Growth Area, no new on-site sewage systems shall be allowed.

New on-site sewage systems may be installed on lots located in:

1. Rural and resource areas of King County as a permanent system; and
2. The Service Planning Areas of the Urban Growth Area as an interim sewage system for new construction and subdivisions.

Sewage systems shall be located on the same lot as the buildings they are designed to serve, or, may be approved by the director of public health on another property if an easement is obtained and recorded. (Ord. 11616 § 2, 1994: Ord. 1139 § 8, 1972: Ord. 931 § 8, 1971).

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13.08.080 Design of systems. A. Sewage disposal systems shall be designed by a sewage disposal systems designer, certificated as provided in this chapter, or by a sanitary or civil engineer licensed by the state of Washington, except that a resident owner, or intended resident owner may personally design a system for his own single family residence; provided he designs not more than one system in any one calendar year. The fee for plan review of the design shall be ten dollars.

B. Design of sewage disposal systems shall be such as to accommodate all sewage from the buildings and premises to be served, and in accordance with this chapter and the rules and regulations of the director of public health adopted pursuant to this chapter. The type of system shall be determined by location, soil porosity, ground water level and other relevant conditions.

C. After the plumbing stub-out has been installed and prior to the installation of the sewage disposal system, the designer shall inspect the site to determine compatibility with his original design criteria. Before an installation permit will be issued, the health department shall be notified by the designer that the preinstallation inspection is acceptable. In the event the sewage disposal system must be installed prior to construction of the building, waiver of the plumbing stub-out requirement may be made. (Ord. 1385 § 3, 1972: Ord. 1139 § 9, 1972: Ord. 931 § 9, 1971).

13.08.090 Installation and alteration. A. Sewage disposal systems shall be constructed, installed or repaired only by a sewage disposal system installer, certificated as provided in this chapter, except that a resident owner, or intended resident owner may personally construct, install or repair a system for his own single family residence, provided he constructs not more than one system in any one calendar year.

B. Construction, installation or repair of sewage disposal systems shall be such as to accommodate all sewage from the buildings and premises to be served, and in accordance with this chapter and the rules and regulations of the director of public health adopted pursuant to the ordinance codified herein. No down-spout or footing drain shall be directly or indirectly connected to a sewage disposal system except when on-site systems are no longer used for sewage disposal upon connection to public sewers. Down-spouts must be connected directly to the drainfield unless the septic tank is cleaned out prior to connection. Sewage disposal systems shall be so constructed and installed that surface water or ground water will not interfere with the operation of such system. (Ord. 13190 § 1, 1998: Ord. 1139 § 10, 1972: Ord. 931 § 10, 1971).

13.08.100 Inspection. A. Any work done on a sewage disposal system, and any material used, may be inspected by the director of public health at any reasonable time, and if he shall find that any work done, or material used, is not in accordance with this chapter or with the rules and regulations of the director of public health adopted pursuant to the ordinance codified herein he may revoke the permit for the work, or he may notify the owner or installer to make such changes in the work as he shall specify, and if such changes are not made within a reasonable time, the director of public health shall then revoke the permit and it shall be unlawful to use such sewage disposal system.

B. When the work of constructing or installing a sewage disposal system has been otherwise completed, it shall be left open and uncovered. The owner shall be notified, and he shall cause an inspection of such work and such system to be made by a designer. When the work of repairing a sewage disposal system has been completed under a waiver of design as provided for in Section 13.08.050 D., it shall be left open and uncovered. The owner shall be notified, and he shall call for an inspection of such work and such system to be made by the director of public health.

C. If upon inspection by him following work on a sewage disposal system, a designer finds that such work or system is not in accordance with this chapter, he shall so notify the owner who shall cause such changes in the work as are specified by the designer, and shall then again notify a designer that such work is ready for inspection.

D. When upon inspection by him following work on a sewage disposal system, a designer finds that such work and system are in accordance with this chapter, he shall so certify to the director of public health, and shall submit to the director of public health with such certification, a detailed "as-built" drawing of such system. (Ord. 1139 § 11, 1972: Ord. 931 § 11, 1971).

13.08.110 Approval or disapproval of system - Notice. A. Within a reasonable time after receipt of certification by a designer that work done on a private sewage disposal system and such system are in accordance with this chapter, the director of public health shall approve or disapprove thereof.

B. If the director of public health disapproves such work or system, he shall so notify the owner, stating his reasons for such disapproval, and it is then unlawful to use such system.

C. If the director of public health finally approves such work and such system, he shall so notify the owner, and then such work shall be covered, and such system may be used. (Ord. 1139 § 12, 1972: Ord. 931 § 12, 1971).

13.08.120 Maintenance of system. All on-site sewage systems shall be maintained in accordance with this chapter and the rules and regulations of the director of public health adopted pursuant to the ordinance codified herein. No on-site sewage system shall be used which directly or indirectly discharges upon the surface of the ground or into any waters within the county. (Ord. 11616 § 3, 1994: Ord. 1139 § 13, 1972: Ord. 931 § 13, 1971).

13.08.130 Sewage disposal technical advisory committee. There is established a sewage disposal technical advisory committee, the members of which shall be the director of public health, ex officio, and twelve appointive members, one representative of each of the following:

- A. Sanitary or civil engineer licensed by the state of Washington;
- B. Sewage disposal system designer holding currently valid certificate of competency in King County;
- C. Sewage disposal system installer holding currently valid certificate of competency in King County;
- D. Civil or sanitary engineer, department of housing and urban development;
- E. Washington State Department of Social and Health Services, Division of Health, Water and Waste Section;
- F. U.S. Department of Agriculture, Soil Conservation Service;
- G. Washington State Department of Ecology;
- H. Seattle-King County board of realtors;
- J. King County policy development commission;
- K. Land surveyor with a designer's certificate of competency and a subdivision report permit;
- L. Consumer.

Members of the sewage disposal technical advisory committee, other than ex officio, shall be appointed by the county executive, subject to confirmation by the county council. Appointments shall be for a term of three years ending December 31st of the third year of such term, subject to reappointment; provided that any vacancy shall be filled for the unexpired term in the same manner as original appointments; and provided, further, that the term of office for the first members shall be staggered so that four serve for a term ending December 31, 1973, and four serve for a term ending December 31, 1974.

Members shall serve without compensation.

The sewage disposal technical advisory committee shall organize and elect a chairman and secretary who shall serve at the pleasure of the members. Such committee may adopt rules of procedure for its own government and shall meet at the call of the chairman subject to three days' written notice to each member of the time and place of such meeting.

The sewage disposal technical advisory committee may examine sewage disposal ordinances, rules and regulations adopted by the director of public health pursuant thereto, make recommendations thereon and may review and recommend new methods and techniques of sewage disposal, but shall act in an advisory capacity only. (Ord. 1385 § 4, 1972: Ord. 1139 (part), 1972: Ord. 931 (part), 1971).

13.08.140 Enforcement. The director of the Seattle-King County department of public health is authorized to enforce the provisions of this

chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23. (Ord. 2910 § 2(part), 1976: Ord. 931 (part), 1971).

13.08.150 Severability. Should any part of this chapter be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of the remainder. (Ord. 1139 § 15, 1972: Ord. 931 § 15, 1971).

Chapter 13.12 SEWERAGE CLEANING AND REMOVAL

Sections:

- 13.12.010 Certificate required for cleaning disposal units.
- 13.12.020 Application for registration and inspection certificate.
- 13.12.030 Examination of applicant - Inspection of disposal site - Time limit for acting on application - Registration and inspection fee - Painting registration number on vehicles.
- 13.12.040 Approval required for alternate disposal sites.
- 13.12.050 Maintenance of disposal sites.
- 13.12.060 Enforcement.
- 13.12.070 Severability.

13.12.010 Certificate required for cleaning disposal units. It is unlawful for any person, firm or corporation to carry on or engage in the business of cleaning of septic tanks, cesspools, grease traps or seepage pits or to transport over the highways or to dispose of the cleanings therefrom in King County unless he or it holds an unrevoked registration and inspection certificate issued by the King County health officer for carrying on such business. (Res. 11304 § 1, 1949).

13.12.020 Application for registration and inspection certificate. All applicants for registration under this chapter shall be filed with the King County health officer. The application shall state the name in full, if a partnership, then the names of the partners, the relation of the applicant to the firm or partnership, the name of the corporation, if a corporation, the place of business and place of residence of the applicant, and of each of the partners in the business if a partnership and the place of business of the corporation. The application shall also state the number of vehicles to be used and the type, and the legal description of the site that the applicant is planning to use to dispose of the contents of septic tanks, cesspools, grease traps and seepage pits, and the name and address of the person, firm or corporation who is responsible for the operation of the disposal site. A written statement acknowledging responsibility and signed by the person, firm or corporation responsible for the disposal site must accompany the application. The application shall be signed by the authorized officer of the corporation, if a corporation, or by the managing partner, if a partnership, or by the individual owner, if owned by an individual. (Res. 11304 § 2, 1949).

13.12.030 Examination of applicant - Inspection of disposal site - Time limit for acting on application - Registration and inspection fee - Painting registration number on vehicles. Registration shall be issued only after a satisfactory examination by the King County health officer or his authorized

representative of the equipment to be used, the applicant's knowledge of sanitary principles affecting public health and nuisances, the reliability of the applicant in observing sanitary laws, ordinances and directions, and in selecting laborers who collect and transport and dispose of the contents of septic tanks, cesspools, grease traps or seepage pits without endangering human health or comfort. An inspection shall also be made of the applicant's disposal site to determine its suitability for the disposal of contents of septic tanks, cesspools, grease traps or seepage pits.

The health officer shall be required to act upon each applicant within thirty days.

Registration and inspection fee shall be twenty-five dollars per year, said fee to be paid to the health department and to be used to defray expenses in issuing registration certificates, conducting inspections and otherwise administering this chapter.

After registration has been approved by the King County health officer, the applicant will be issued a registration number. Said numbers, preceded by the letters K.C. No., shall be painted on each applicant's collecting vehicles in a contrasting color to that of the vehicle and in letters at least three inches high and placed in a conspicuous place designated by the health officer.

Applicants may be registered under such terms, conditions, orders and direction as the health officer may deem necessary for the protection of human health and comfort. (Res. 11304 § 3, 1949).

13.12.040 Approval required for alternate disposal sites. Should a holder of a certificate of registration and inspection desire to dispose of the contents of the septic tanks, cesspools, grease traps or seepage pits at a disposal site other than the site listed in his application for registration, he shall first obtain written approval of said site from the King County health officer. (Res. 11304 § 5, 1949).

13.12.050 Maintenance of disposal sites. Any person, firm or corporation responsible for the operation of a refuse site on which the contents of septic tanks, cesspools, grease traps or seepage pits are disposed of shall maintain said disposal site in a safe and sanitary condition according to the instructions of the health department. (Res. 11304 § 6, 1949).

13.12.060 Enforcement. The director of the Seattle-King County department of public health is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23. (Ord. 2910 § 2 (part), 1976: Res. 11304 (part), 1949).

13.12.070 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Res. 11304 § 9, 1949).

Chapter 13.16
FEDERAL FUNDING OF SEWERAGE DISPOSAL SYSTEMS

Sections:

- 13.16.010 Health officer to approve disposal systems in federal government buildings.
 13.16.020 Bond or escrow fund required.
 13.16.030 Charge against bond or escrow fund authorized.

13.16.010 Health officer to approve disposal systems in federal government buildings. No individual person, firm or corporation shall cause to be constructed, built or installed any sewerage disposal system financed or insured directly or indirectly by the federal government for any house, houses or buildings, unless said sewerage system is approved by the health officer or his agent. (Res. 9203 (part), 1944).

13.16.020 Bond or escrow fund required. The King County health officer or his agent may require either a bond executed by a reputable bonding company doing business within the state of Washington, or a cash deposit to be held in escrow for a period of one year after occupancy of the premises, or until approval by the Seattle-King County health department, whichever is the longer period of time, that the bond or cash so deposited in trust or escrow be used as a guarantee that the sewerage disposal system will work effectively and comply with all sanitary regulations. (Res. 9203 (part), 1944).

13.16.030 Charge against bond or escrow fund authorized. In the event that repairs or changes are necessary in the sewerage disposal system during the aforementioned period, the bond or escrow funds shall be subject to any charge or expense that may be incurred in the repairing or change of the sewerage system. (Res. 9203 (part), 1944).

Chapter 13.20
WATER AND SEWER SYSTEM
CONDITION REPORTS

Sections:

- 13.20.010 Application for information.
 13.20.020 Fee for report.
 13.20.030 Submittal of water samples for analysis - Fee.

13.20.010 Application for information. Any person, agency or company desiring a report on the condition of a water supply or sewage disposal system shall make application for such information to the department of public health on a form provided by that department. (Ord. 3054 § 1, 1977: Res. 15311 § 1, 1955).

13.20.020 Fee for report. Application for a report on such water supply or individual sewage disposal system shall be accompanied by a fee as follows:

- For a report on a water supply\$275.00
 For a report on a sewage disposal system 215.00
 For a report on water supply and a sewage disposal system on the same premises 325.00

(Ord. 13661 § 2, 1999: Ord. 12922 § 1, 1997: Ord. 11138 § 1, 1993: 9225, 1989: Ord. 7862, 1986: Ord. 5782 § 1, 1981: Ord. 3556 § 1, 1977: Ord. 3054 § 2, 1977: Ord. 880 § 1, 1971: Res. 15311 § 2, 1955).

13.20.030 Submittal of water samples for analysis - Fee. Any person, agency or company may submit water samples to the department of public health for analysis. The fee for each water sample is fifteen dollars. (Ord. 11138 § 2, 1993: Ord. 5782 § 2, 1981: Ord. 5230 § 1, 1980: Ord. 3556 § 2, 1977: Ord. 3054 § 3, 1977).

Chapter 13.24
SEWER AND WATER COMPREHENSIVE PLANS¹

Sections:

- 13.24.005 Purpose.
- 13.24.007 Definitions.
- 13.24.010 Water and sewer system comprehensive plans.
- 13.24.015 Exemption from council approval of Group B water systems.
- 13.24.020 Approving official.
- 13.24.035 Public sewer service.
- 13.24.050 Comprehensive plans - modification of requirements.
- 13.24.060 Comprehensive plans - approval requirements.
- 13.24.070 Comprehensive plans - environmental review.
- 13.24.080 Utilities technical review committee - creation and composition.
- 13.24.090 Utilities technical review committee - Authority.
- 13.24.100 Procedures.
- 13.24.120 Certificates of water availability.
- 13.24.132 New sewer facilities in rural areas.
- 13.14.134 Expansion of sewer service in rural and natural resource areas.
- 13.24.136 On-site sewage treatment and disposal systems in the urban growth area.
- 13.24.138 Water facilities in rural areas.
- 13.24.140 Interim alternative water service.
- 13.24.142 Operation of new Group A water systems in rural areas.
- 13.24.200 Severability.

13.24.005 Purpose. The purpose of this chapter is to accomplish the following:

A. Assure that sewer and water system comprehensive plans are consistent with adopted county plans, policies and land use controls ;

B. Provide information to assist in the preparation of future county plans and policies;

C. Provide information to assist in the review of new development proposals and right-of-way construction permits; and

D. To fulfill the county's responsibilities set forth in chapters 90.54 (Water Resources Act of 1971), 36.70 (Planning Enabling Act of the state of Washington), 36.07A, 36.94, 57.02 and 70.116 RCW and chapters 173-240 and 246-290 WAC. (Ord. 13625 § 2, 1999: Ord. 10095 § 2, 1991).

¹[For statutory provisions regarding sewer districts, see RCW Title 56.]

13.24.007 Definitions. A. Group A water system: a public water system with 15 or more service connections, regardless of the number of people served, or a system serving an average of 25 or more people per day for 60 or more days within a calendar year, regardless of the number of service connections.

B. Group B water system: a public water system which is not a Group A system, with less than 15 service connections and serving an average of less than 25 people for 60 or more days within a calendar year, or any number of people for less than sixty days within a calendar year.

C. Individual water system: a water system serving only one single family residence.

D. Public water system: any water system except one serving only one single family residence. (Ord. 11616 § 16-19, 1994).

13.24.010 Water and sewer system comprehensive plans. A. Comprehensive plans for water and sewer districts or any other public or private entities that distribute or obtain water or provide sewer collection or treatment in unincorporated areas of King County shall be adopted by each such entity and approved by the King County council as a prerequisite for the following:

1. Operating in unincorporated King County;
2. Approval of annexation proposals;
3. Granting of new right-of-way franchises and right-of-way franchise renewals; and
4. Approval of right-of-way construction permits, except for emergency permits issued under the provisions of K.C.C. 14.44.055.

B. Except as provided in K.C.C. 13.24.015, such plans shall be reviewed by a utilities technical review committee established by this chapter prior to submission to the King County council for approval.

C. Only plans consistent with the King County Comprehensive Plan adopted in K.C.C. Title 20 shall be approved. The infrastructure system for the existing service area, and for the area anticipated to be served in the future shall be based on the adopted land use map of the Comprehensive Plan.

D. A new, fully updated plan shall be submitted every six years, or in conformance with the cycle of updates required by the state Department of Health or Department of Ecology, whichever is sooner, except that water comprehensive plans shall not be required for Group A water systems that are not expanding public water systems as defined in WAC 246-290-010.

E. King County may require an updated plan, plan amendment, or other documentation whenever conditions for water or sewer availability have changed significantly within a water or sewer utility service area. Water and sewer utilities required to plan under this chapter shall promptly notify King County of any significant changes affecting service provision.

F. Water and sewer comprehensive plans shall include information sufficient to demonstrate the ability to provide service consistent with the requirements of all applicable statutes, codes, rules and regulations.

G. Water comprehensive plans shall be consistent with the planning criteria identified by the state Department of Health in its "Water System Planning Handbook" or its successor document.

H. Sewer comprehensive plans shall be consistent with WAC 173-240-050. In addition, the plans shall discuss the following:

1. Existing and planned flows, both average and peak; and
2. Existing and planned flows for any basin discharging into King County's sewage conveyance and treatment system; and

3. Amounts of inflow and infiltration to the system, a comparison of those amounts with King County's one thousand one hundred gallons per acre per day standard, and steps being taken to reduce the inflow and infiltration; and

4. Areas of concern with respect to corrosion and odor control and steps being taken to reduce their occurrence.

I. The utilities technical review committee may require additional information to be included as part of a water or sewer comprehensive plan. (Ord. 13625 § 3, 1999: Ord. 11790 § 3, 1995: Ord. 11616 § 4, 1994: Ord. 10095 § 1, 1991: Ord. 4307 § 1, 1979: Ord. 2865 § 1, 1976: Ord. 1709 § 1, 1973).

13.24.015 Exemption from council approval of Group B water systems. As provided by chapter 43.20 RCW, chapter 246-291 WAC and Title 12 of the Seattle-King County board of health regulations, plans for Group B water systems in unincorporated King County shall be reviewed and approved by the Seattle-King County health department. Plans for Group B water systems shall not require approval of the county council pursuant to this chapter unless a right-of-way construction permit is required. The health department shall prepare and regularly update a list of those Group B systems that have been approved. Included in the list shall be the important characteristics of the systems such as water quality, water quantity, reliability, the operator or manager and the capacity of the system to serve existing and additional customers. The list shall be provided annually to the utilities technical review committee and shall be consulted when preparing recommendations for, but not limited to, franchises, other water plans, and new developments. (Ord. 10095 § 3, 1991).

13.24.020 Approving official. The director of the department of natural resources, or the director's authorized designee, shall be the official designated by King County for the approvals required by RCW 57.16.010. Director approval shall be based on recommendations provided by department engineers and the Utilities Technical Review Committee. (Ord. 13625 § 5, 1999: Ord. 4307 § 2, 1979).

13.24.035 Public sewer service. A. All development within the urban growth area shall be served by public sewer service. Exceptions may be made only in the following cases:

1. On-site sewage systems may be allowed temporarily in some parts of the urban growth area in accordance with K.C.C. 13.24.136; and

2. No public sewers shall be allowed on lands zoned for agriculture, which are zoning designation A-10 or A-35, within the urban growth area unless the following occurs:

a. The property's development rights have been transferred to and accepted by King County; and

b. The development to be served is consistent with recorded restrictive covenants prepared by the real property division limiting the use of the land for agricultural and open space uses.

B. Public sewer service shall also be provided in rural towns when the service provision has been approved by King County through a King County Comprehensive Plan designation.

C. Public sewer service shall not be provided outside the urban growth area or any rural town designated to receive the service, except as described in K.C.C. 13.24.134.

D. Sewer extensions under subsections A.2 and C of this section shall be approved by the Council, if it is determined that the extension meets the criteria in this section and is consistent with all other adopted King County policies and regulations. Decisions on sewer extensions in rural or resource areas shall be made by the Council in the form of a sewer comprehensive plan or an amendment to a sewer comprehensive plan.

E. The required elements of a sewerage general plan in RCW 36.94.010(3) are included in the 1994 King County Comprehensive Plan and its technical appendix, as adopted in K.C.C. Title 20. (Ord. 13625 § 22, 1999).

13.24.050 Comprehensive plans - modification of requirements. For the purpose of satisfying K.C.C. 13.24.010, a sewer comprehensive plan covering a subarea of a sewer district or any other public or private provider of sewage services shall be eligible for consideration provided that it:

1. Covers a system of sewer facilities, existing or proposed, having no connection to any other portion of the utility's system and discharging directly into a King County wastewater treatment or conveyance facility;

2. Contains the required plan elements as applied to conditions within the subarea only; and

3. Satisfies the consistency requirements of K.C.C. 13.24.060. (Ord. 13625 § 6, 1999: Ord. 11616 § 7, 1994: Ord. 10416 § 1, 1992: Ord. 1709 § 4, 1973).

13.24.060 Comprehensive plans - approval requirements. Comprehensive plans approved by the county shall be consistent with the following:

A. K.C.C. chapter 17.08 relating to the installation of fire hydrants and water mains;

B. State and local health standards;

C. The creation and maintenance of logical service areas consistent with the relevant coordinated water system plan chapter 70.116 RCW;

D. The elimination or prevention, or both, of duplicate facilities;

E. The promotion of the most reliable and healthful service to the public;

F. The provision of service at a reasonable cost and maximization of the use of existing public facilities;

G. The reduction of the number of entities providing sewer and/or water service in King County;

H. County Comprehensive Plan and other pertinent county adopted plans and policies;

I. Coordinated water system plans chapter 70.116 RCW;

J. The basinwide water plan, sewerage plan or water and sewerage plan, when approved by the state Department of Ecology and the state Department of Health;

K. Applicable state water quality and waste management standards;

L. The state Water Resources Act, chapter 90.54 RCW;

M. The state Growth Management Act;

N. Adopted ground water management plans pursuant to RCW 90.44.400 and chapter 173-100 WAC; and

O. Adopted habitat conservation plans developed pursuant to the Endangered Species Act. (Ord. 13625 § 7, 1999: Ord. 11616 § 8, 1994: Ord. 10095 § 6, 1991: Ord. 9218 § 2, 1989: Ord. 4307 § 3, 1979: Ord. 2638 § 3, 1976: Ord. 1709 § 5, 1973).

13.24.070 Comprehensive plans - environmental review. Each plan submitted by a public agency for utilities technical review committee review shall be accompanied by one copy of the documentation required by chapter 197 - 10 WAC, as follows:

A. A statement explaining the basis of categorical exemption from state Environmental Policy Act requirements;

B. An environmental assessment, together with the agency's threshold determination; or

C. An environmental impact statement. (Ord. 13625 § 8, 1999: Ord. 2638 § 5, 1976).

13.24.080 Utilities technical review committee - creation and composition. A utilities technical review committee is created consisting of the following representatives as appointed by the director of each department.

A. Two representatives from the department of natural resources, one from the water and land resources division and one from the wastewater treatment division;

B. One representative from the department of transportation;

C. One representative from the department of development and environmental services;

D. One representative from the Seattle-King County department of public health;

E. One representative from the office of regional policy and planning;

F. One representative from the department of construction and facility management, property services division; and

G. One representative from the King County council staff. (Ord. 13625 § 9, 1999: Ord. 10095 § 7, 1991: Ord. 2638 § 4, 1976: Ord. 1709 § 6, 1973).

13.24.090 Utilities technical review committee - Authority. The utilities technical review committee shall review and make recommendations to the King County executive and the King County council on the adequacy of all sewer and water system comprehensive plans and related matters, and determination of their consistency with the King County comprehensive plan; provided, further, that the committee shall have the authority to approve additions and betterments to council-approved sewer and water comprehensive plans without referral to the council in order to serve developments which have received preliminary approval from the King County council. The utilities technical review committee shall serve as an appeals body to hear issues relating to the creation of new public water systems and the extension of existing public water service within the boundaries of a critical water supply service area as provided for in the utility service review procedures contained in the coordinated water system plans; the key determinant is whether an existing water purveyor can provide service in a timely and reasonable manner (WAC 2248-56-620). The utilities technical review committee shall issue the findings required under K.C.C. 13.24.134, relative to sewer expansion in rural and resource areas. The determination that sewer expansion in rural and resource areas is necessary shall be based on information concerning the feasibility of alternative treatment technologies as provided by the Seattle-King County department of public health. (Ord. 13625 § 11, 1999: Ord. 10095 § 8, 1991: Ord. 4307 § 4, 1979: Ord. 1709 § 7, 1973).

13.24.100 Procedures. A. Required copies of all sewer and water comprehensive plans shall be submitted to the King County division of water and land resources. The division of water and land resources shall have the major responsibility for coordination and support for the utilities technical review committee.

B. Notice of the time and place of the utilities technical review committee meeting shall be provided to the applicant for comprehensive plan approval prior to the meeting.

C. The applicant shall have the right to attend or be represented at any and all meetings upon request. (Ord. 13625 § 11, 1999 : Ord. 4307 § 5, 1979 : Ord. 1709 § 8, 1973).

13.24.120 Certificates of water availability. The issuance of a certificate of water availability is required to document that adequate water service is available to proposed development projects within King County. Water availability shall be consistent with a system's supply, provided, that a district shall not issue certificates of water availability which when added to existing connections, exceed the system's supply by two percent. (Ord. 10095 § 9, 1991).

13.24.132 New sewer facilities in rural areas. New sewer facilities shall be allowed to cross the rural areas only if such facilities are:

A. Limited to serving areas within an urban growth area, rural city or town;

B. Tightlined or otherwise subject to access restrictions precluding service to adjacent rural areas; and

C. Identified in a King County-approved comprehensive sewage system plan and upon a finding that it is technically necessary. (Ord. 13279 § 1, 1998 : Ord. 11616 § 10, 1994).

13.24.134 Expansion of sewer service in rural and natural resource areas. Sewer service shall be expanded to serve uses in the rural and natural resource areas only if the facilities are:

A. Needed to address:

1. Specific health and safety problems threatening the existing uses of structures permitted before January 9, 1995; or

2. The needs of public facilities such as schools; and

B. Tightlined; and

C. A finding is made by the utilities technical review committee that no cost effective alternative technologies are feasible.

D. Decisions on sewer service expansions in rural or resource areas shall be made by the council in the form of a sewer comprehensive plan or an amendment to a sewer comprehensive plan. (Ord. 13625 § 12, 1999 : Ord. 11616 § 11, 1994).

13.24.136 On-site sewage treatment and disposal systems in the urban growth area. On-site sewage treatment and disposal systems shall be permitted in the urban growth area on an interim basis, only as follows:

A. For individual lots in the full service area or service planning area, the director of the department of development and environmental services may authorize individual on-site sewage treatment and disposal systems given the following findings:

1. The applicant has submitted a certificate of sewer availability from the most logical sewer utility accompanied by a letter that demonstrates to the satisfaction of the director that the requirement to receive public sewer service from the utility is unreasonable or infeasible at the time of construction;

2. The applicant has received approval for an on-site sewage treatment and disposal system design from the Seattle-King County department of public health in accordance with the rules and regulations of the King County board of health, K.C.C. Title 13;

3. The applicant has provided a certificate of future connection from the appropriate utility that certifies that an irrevocable agreement has been entered into with the utility providing that the property shall be connected to public sewers upon availability of such sewers and that the property owner shall pay all costs of connection to the sewer and connection of the roof drainage to the abandoned on-site sewage drainfield (to septic tank only if completely cleaned out prior to connection). This certificate shall stipulate that the applicant and the applicant's grantees agree to participate in and not protest the formation of a utility local improvement district or local improvement district or utility project that is designed to provide public sewer services to the property. This certificate shall be recorded in the real property records of King County and shall be a permanent condition on the property running with the land until such time as the costs for connection are fully paid to the utility;

4. The abandoned on-site sewage system shall be connected to receive all rooftop runoff once the property is connected to the public sewer; and

5. Application of the standards of this title would otherwise preclude reasonable use of the property; and

B. For subdivisions and short subdivisions in the service planning areas only, the director of the department of development and environmental services may authorize community on-site sewage treatment and disposal systems given the following findings:

1. The applicant has submitted a certificate of sewer availability from the most logical sewer utility accompanied by a letter that demonstrates to the satisfaction of the director that the requirement to receive public sewer service from the utility is unreasonable or infeasible at the time of construction;

2. The applicant has received an approved preapplication for a community on-site sewage treatment and disposal system from the Seattle-King County department of public health in accordance with the rules and regulations of the King County board of health, K.C.C. Title 13, and the state board of health, chapter 246-272 WAC;

3. The applicant has provided a certificate that the system will be managed by the utility or other authorized public agency as defined by RCW 39.24.020;

4. The sanitary sewage collection system within the subdivision or short subdivision necessary to connect the subdivision or short subdivision to the public sewers including collection lines to each building site or lot shall be installed to the specifications of the appropriate provider of sewer service and shall be a condition of preliminary approval;

5. The applicant has provided a certificate of future connection from the appropriate utility that certifies that an irrevocable agreement has been entered into with the utility for the property owner to pay all known and projected costs of connection. This certificate shall stipulate that the applicant and the applicant's grantees agree to participate in and not protest the formation of a utility local improvement or local improvement district

utility project that is designed to provide public utility services to
the

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property. This certificate shall be noticed on the title of the property and shall be a permanent condition on the property until such time as the costs for connection are fully paid to the utility. (Ord. 13525 § 13, 1999: Ord. 13190 § 2, 1998: Ord. 11616 § 12, 1994).

13.24.138 Water facilities in rural areas. A. Standards and plans for utility services in rural areas and the design and scale of new water facilities that serve the Urban Growth Area but must be located in the rural area shall be consistent with the needs of long-term low density residential development and resource industries in the rural area.

B. Private wells and Group B water systems may be allowed in rural areas. If the area for a new public water system is included in the planning area of an existing water purveyor as identified in a Coordinated Water System Plan, the water system should be operated by the purveyor through either satellite management or direct service.

C. Existing Group A water systems may be allowed to remain and shall not be expanded beyond the total number of lots which such system is ultimately designed to serve, except as may be provided in subsection D.

D. Establishment of new Group A water systems or the expansions of existing Group A water systems may also be allowed if:

1. Water systems existing as of December 31, 1994 have quality or quantity problems that threaten public health and which can best be solved by Group A service, or

2. The area has been assigned to a water purveyor through a King County-adopted coordinated water system plan, and

3. Prior to approval of the new system or system extension, the maximum number of connections has been specified based on the number of previously platted (or otherwise legally divided) lots and the zoning approved for the total rural area being served, and Group A service is financially feasible at the resulting density. (Ord. 11616 § 13, 1994).

13.24.140 Interim alternative water service. All development in the urban growth area shall be served by the appropriate existing Group A water purveyor. Alternative water service shall be permitted on an interim basis, only as follows:

A. For individual lots in the Full Service Area or the Service Planning Area, the director of the department of development and environmental services may authorize interim water service from an existing public water purveyor or the development of an individual well given the following findings:

1. The applicant has submitted a certificate of water availability from the appropriate Group A water purveyor accompanied by a letter which demonstrates to the satisfaction of the director that the requirement to receive water service from the purveyor is unreasonable or infeasible at the time of construction, and

2. The applicant has received a water availability certificate from an existing public water purveyor or has received pre-application approval for connection to a private well from the Seattle-King County department of public health in accordance with the rules and regulations of King County board of health title 12, and

3. The applicant has provided a Certificate of Future Connection from the appropriate Group A water purveyor which certifies that an irrevocable agreement has been entered into with the purveyor providing that the property shall be connected to the purveyor's water system upon availability of such water service and that the property owner shall pay all costs of connection.

This certificate shall stipulate that the applicant and his grantees agree to participate in and not protest the formation of a Utility Local Improvement District (ULID) or Local Improvement District (LID) or utility purveyor project which is designed to provide public water services to the property. This certificate shall be recorded in the real property records of King County and shall be a permanent condition on the property running with the land until such time as the costs for connection are fully paid to the purveyor, and

4. Application of the standards of this title would otherwise preclude reasonable use of the property.

B. For subdivisions and short subdivisions in the Service Planning Area only, interim water service from a new or existing public water system may be approved as follows:

1. The applicant has received approval for the creation of a new public system in accordance with the provisions of the applicable Coordinated Water System Plan, if any, or the applicant has received a water availability certificate from an existing public water system, and

2. The director of the department of development and environmental services makes the following findings:

a. the applicant has provided a Certificate of Future Connection from the appropriate Group A water purveyor which certifies that an irrevocable agreement has been entered into with the purveyor providing that the property shall be connected to the purveyor's water system upon availability of such water service and that the property owner shall pay all costs of connection. This certificate shall stipulate that the applicant and his grantees agree to participate in and not protest the formation of a Utility Local Improvement District (ULID) or Local Improvement District (LID) or utility purveyor project which is designed to provide public water services to the property. This certificate shall be recorded in the real property records of King County and shall be a permanent condition on the property running with the land until such time as the costs for connection are fully paid to the purveyor, and

b. a new public water system formed in the planning area of an existing water purveyor as identified in a Coordinated Water System Plan shall be operated through satellite system management; and

c. any new public water system shall be built to the design standards of the appropriate Group A water purveyor to which it will be eventually connected.

C. Existing wells and/or Group B water systems may serve the lots which such systems are ultimately designed to serve and shall be managed in compliance with applicable health regulations. (Ord. 11616 § 14, 1994).

13.24.142 Operation of new Group A water systems in rural areas. All new Group A water systems in rural areas shall be operated by a certified water system operator, except when the area for the new water system is included in the planning area of an existing water utility identified in a coordinated water system plan. When the area for the new water system is included in the planning area of an existing water utility identified in a coordinated water system plan, the water system shall be operated by the utility through satellite management. (Ord. 13625 § 14, 1999: Ord. 11616 § 15, 1994).

13.24.200 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 10095 § 10, 1991).

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Chapter 13.28
CRITICAL WATER SUPPLY AREAS

Sections:

- 13.28.010 Areas designated.
- 13.28.020 Skyway Critical Water Supply Area.
- 13.28.025 Skyway Coordinated Water Supply Plan.
- 13.28.030 Vashon Critical Water Supply Area.
- 13.28.035 Vashon Water System Plan.
- 13.28.040 South King County Critical Water Supply Area.
- 13.28.045 South King County Water System Plan.
- 13.28.050 East King County Critical Water Supply Area.
- 13.28.055 East King County Water System Plan.

13.28.010 Areas designated. Pursuant to Chapter 70.116 RCW, the King County council hereby declares the areas of South King County, Skyway, Vashon, and East King County, as critical water supply areas (as preliminarily mapped in the Preliminary Assessment accepted by Motion 6407 and Ordinance 7893.) The county executive shall notify the Department of Social and Health Services, State of Washington, and form water utility coordinating committees pursuant to RCW 70.116.040 for the purpose of preparing coordinated water supply plans for the declared areas. (Ord. 7893 § 2, 1986: Ord. 7578, 1986).

13.28.020 Skyway Critical Water Supply Area. A. Establishment of Committee. A water utility coordinating committee for the Skyway Critical Water Supply Area is established for the purpose of implementing the Public Water System Coordination Act of 1977.

B. Representatives. The committee shall consist of representatives from the following agencies:

1. The King County council
2. Parks, planning and resources department
3. The Seattle-King County health department
4. The Department of Social and Health Services
5. King County Water District 14
6. King County Water District 25
7. King County Water District 57
8. King County Water District 63
9. King County Water District 125
10. City of Renton
11. City of Seattle
12. Skyway Sewer and Water District
13. City of Tukwila
14. And all other purveyors with fifty or more service connections.

Each of the listed agencies shall appoint a member and an alternate to the committee. Appointed members shall continue to serve until replaced by the appointing authority in accordance with the by-laws of the committee.

C. Rules of Procedure.

1. In order for the committee to conduct business, a quorum consisting of not less than half of the appointed members shall be present.

2. At the first meeting of the committee, a chairperson and rules for conducting business shall be determined by consensus.

3. Within six months of its establishment, the committee shall be responsible for developing and recommending external critical water area boundaries to the county council in the manner prescribed in WAC 248-56-600.

4. Following the establishment of the external boundaries¹, the committee shall be responsible for developing a coordinated water system plan for the critical water supply service area in accordance with the procedures provided in WAC 248-56-740. On completion of the plan, the committee shall submit the plan to the Washington State Department of Social and Health Services via King County which shall conduct the local review required by law.

The plan shall be submitted within eighteen months of the establishment of the committee.

5. The coordinated water system plan and external critical water service area boundaries shall be reviewed and updated as appropriate by the committee at a minimum of every five years, or sooner if the committee deems it necessary, as prescribed in WAC 248-56-760.

D. Termination. The water utility coordinated committee shall be terminated effective June 30th, 1992 unless specifically extended by ordinance. (Ord. 7587 § 1-4, 1986).

13.28.025 Skyway Coordinated Water System Plan. A. Ratification. The Skyway coordinated water system plan (CWSP) is ratified in accordance with the regulations of the Washington State Department of Health (DOH) found in WAC 248-56. The King County council finds the CWSP to be consistent with the county's adopted land use plans and policies as called for in RCW 70.116 and K.C.C. 13.24 and recommends that DOH approve it.

B. Conservation element. A water conservation program is an integral element of the Skyway Coordinated Water System Plan. All purveyors shall develop a conservation element as part of their individual water comprehensive plan. The conservation program to reduce water consumption as outlined in an addendum to Skyway Coordinated Water System Plan shall be in place and operating by 1995 and will be reviewed at that time for its effectiveness by the Washington State Department of Health with assistance from the Water Utility Coordinating Committee. King County will monitor the effectiveness of purveyor conservation plans in conjunction with the approval of their water comprehensive plans.

C. Base year measurement. 1990 will be the base year used to establish the average annual per capita water consumption figure for measurement purposes, adjusted for any weather abnormalities or previous reductions as a result of an existing conservation program. All purveyors within the Skyway critical water supply service area shall achieve a 6.5 percent per capita reduction in water use from the 1990 average annual per capita consumption figure (base year measurement) by 1995. A minimum total reduction in average per capita water consumption of eight percent from the 1990 base figure is the goal for the Skyway Coordinated Water System Plan by the year 2000. (Ord. 9332 §§ 1-2, 1990).

¹[Ordinance 8532 establishes boundaries, available in office of clerk of the council.]

13.28.030 Vashon Critical Water Supply Area. A. Establishment of Committee. A water utility coordinating committee for the Vashon Critical Water Supply Area is established for the purpose of implementing the Public Water System Coordination Act of 1977.

B. Representatives. The committee shall consist of representatives from the following agencies:

1. The King County council
2. Parks, planning and resources department
3. The Seattle-King County health department
4. The Department of Social and Health Services
5. King County Water District 19
6. Burton Water System
7. Dockton Water System
8. Gold Beach Water System
9. Heights Water System
10. Maury Mutual Water System
11. Westside Water System
12. And all other purveyors with fifty or more service connections.

Each of the listed agencies shall appoint a member and an alternate to the committee. Appointed members shall continue to serve until replaced by the appointing authority in accordance with the by-laws of the committee.

C. Rules of Procedure.

1. In order for the committee to conduct business, a quorum consisting of not less than half of the appointed members shall be present.
2. At the first meeting of the committee, a chairperson and rules for conducting business shall be determined by consensus.
3. Within six months of its establishment, the committee shall be responsible for developing and recommending external critical water area boundaries to the county council in the manner prescribed in WAC 248-56-600.
4. Following the establishment of the external boundaries², the committee shall be responsible for developing a coordinated water system plan for the critical water supply service area in accordance with the procedures provided in WAC 248-56-740. On completion of the plan, the committee shall submit the plan to the Washington State Department of Social and Health Services via King County which shall conduct the local review required by law. The plan shall be submitted within eighteen months of the establishment of the committee.
5. The coordinated water system plan and external critical water service area boundaries shall be reviewed and updated as appropriate by the committee at a minimum of every five years, or sooner if the committee deems it necessary, as prescribed in WAC 248-56-760.

D. Termination. The water utility coordinating committee shall be terminated effective June 30th, 1992 unless specifically extended by ordinance. (Ord. 7588 § 1-4, 1986).

13.28.035 Vashon Water System Plan. A. Ratification. The Vashon Coordinated Water System Plan is ratified in accordance with the regulations of the Washington State Department of Health found in WAC 248-56. King County finds the Coordinated Water System Plan to be consistent with the county's adopted land use plans and policies, as called for in RCW 70.116 and K.C.C. 13.24 and recommends its approval by the Washington State Department of Health with the following conditions:

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1. Service Area. A principal requirement and objective of the Coordinated Water System Plan is the establishment of service areas to assist the water utilities in providing an effective process for the planning and development of a water system. The Coordinated Water System Plan defines a service area as a geographical area assigned to a water purveyor for the purpose of providing both current and future public water service consistent with local land use plans. The geographic boundaries are defined by agreements among adjacent utilities and are recorded on a set of maps on file with the building and land development division, the Seattle/King County health department, and the real property division. Water service provided within a designated service area is to be consistent with county land use plans and policies and existing county review procedures regarding water utility comprehensive plans, a water utility's service area and a planning area. An existing service area is a geographic area within which service to customers is available as specifically defined on a map in a utility's comprehensive plan which is approved by King County as consistent with its land use policies.

A planning area is the remaining geographic area identified on the service area maps contained in the Coordinated Water System Plan which is a logical area for expansion of the system. Extension of service into the planning area requires King County approval as part of the utility's comprehensive plan to make certain that the proposed utility service is consistent with land use plans and policies.

2. Land Use Policies. Vashon Island purveyors recognize the county's land use policies and will not use water service as a vehicle to supersede the land use policies and zoning on Vashon Island. The purveyors may perform satellite management of all class 2, 3 and 4 water systems within their service areas as provided for by the Vashon Coordinated Water System Plan.

²[Ordinance 7750 establishes boundaries, available in office of clerk of the council.]

3. Conservation Element. An application has been submitted to the U.S. Environmental Protection Agency to declare Vashon/Maury Island water supply as a sole source aquifer. For this reason, a water conservation program is an integral element of the Vashon Coordinated Water System Plan. All purveyors shall develop a conservation element as part of their individual water comprehensive plans. The conservation programs to reduce water consumption as outlined in the Coordinated Water System Plan shall be in place and operating by 1996 and will be reviewed by the Washington State Department of Health with assistance from the Water Utility Coordinating Committee. King County will monitor and review the effectiveness of purveyor conservation plans in conjunction with the approval of their water comprehensive plans. 1991 will be the base year used to establish the average annual per capita water consumption figure for measurement purposes, adjusted for any weather abnormalities or previous reduction as a result of an existing conservation program. All water utilities shall achieve a four percent minimum total reduction in water use from the 1991 average annual per capita consumption figure (base year measurement) by 1996.

A minimum total reduction in average per capita water consumption of six percent from the 1991 base figure is the stated goal for the entire Vashon/Maury Island Critical Water Supply Service Area by the year 2000.

B. Service areas in dispute. The Coordinated Water System Plan identified an unresolved service area dispute between Westside Water Association and Island Spring Water Company. King County recommends to the Washington State Department of Health that the area in question be assigned as part of the designated water service area of Westside Water Association.

C. Plan consistency. King County approvals of water service areas through water comprehensive plans or developer extensions will be based upon consistency with V-59 and V-60 of the Vashon Community Plan and F-111, F-305, F-309, and F-310 of the King County Comprehensive Plan.

D. Fire protection. K.C.C. 17.08.020E exempting new or replacement water mains from fire flow requirements as long as the main will serve exempt uses only shall be utilized in sizing water mains, and further, consistent with K.C.C. 17.08.030 A.4 and A.5, if fire protection measures are warranted for buildings over 2,500 square feet, sprinkler systems, on-site water storage facilities or other measures shall be proven infeasible before requiring fire flow to the site. (Ord. 9839 §§ 1-4, 1991).

13.28.040 South King County Critical Water Supply Area. A. Establishment of Committee. A water utility coordinating committee for the South King County Critical Water Supply Area is established for the purpose of implementing the Public Water System Coordination Act of 1977.

B. Representatives. The committee shall consist of representatives from the following agencies:

1. The King County council
2. Parks, planning and resources department
3. The Seattle-King County health department
4. The Department of Social and Health Services
5. King County Water District 54
6. King County Water District 56
7. King County Water District 75
8. King County Water District 94
9. King County Water District 105
10. King County Water District 111
11. City of Algona
12. City of Auburn

13. Auburn East Mobile Home Park
14. Auburn Mobile Park
15. City of Black Diamond
16. Crestview West Water System
17. Cherokee Bay Water System
18. Cristalina Water System
19. City of Enumclaw
20. Easthill Community Well Company
21. Federal Way Water and Sewer District
22. Forest Grove Hills Water System
23. City of Kent
24. Masonic Home of Washington Water System
25. City of Milton
26. City of Pacific
27. Ravensdale Water System
28. Shed Water Supply - Pink Thunderbird
29. City of Tacoma
30. Y Bar S Water System
31. And all other purveyors with fifty or more service connections.

Each of the listed agencies shall appoint a member and an alternate to the committee. Appointed members shall continue to serve until replaced by the appointing authority in accordance with the by-laws of the committee.

C. Rules of Procedures.

1. In order for the committee to conduct business, a quorum consisting of not less than half of the appointed members shall be present.
2. At the first meeting of the committee, a chairperson and rules for conducting business shall be determined by consensus.
3. Within six months of its establishment, the committee shall be responsible for developing and recommending external critical water area boundaries to the county council in the manner prescribed in WAC 248-56-600.
4. Following the establishment of the external boundaries³, the committee shall be responsible for developing a coordinated water system plan for the critical water supply service area in accordance with the procedures provided in WAC 248-56-740. On completion of the plan, the committee shall submit the plan to the Washington State Department of Social and Health Services via King County which shall conduct the local review required by law. The plan shall be submitted within eighteen months of the establishment of the committee.
5. The coordinated water system plan and external critical water service area boundaries shall be reviewed and updated as appropriate by the committee at a minimum of every five years, or sooner if the committee deems it necessary, as prescribed in WAC 248-56-760.

D. Termination. The water utility coordinating committee shall be terminated effective June 30th, 1992 unless specifically extended by ordinance. (Ord. 7589 § 1-4, 1986).

13.28.045 South King County Water System Plan. A. Ratification. The South King County Coordinated Water System Plan is ratified in accordance with the regulations of the Washington State Department of Health found in WAC 248-56. King County council finds the Coordinated Water System Plan to be consistent with the county's adopted land use plans and policies, as called for in RCW 70.116 and K.C.C. 13.24 and recommends its approval by the Washington State Department of Health with the following three conditions:

³[Ordinance 7785 establishes boundaries, available in office of clerk of the council.]

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1. Service Area. A principal requirement and objective of the Coordinated Water System Plan is the establishment of service areas to assist the water utilities in providing an effective process for the planning and development of a water system. The Coordinated Water System Plan defines a service area as a geographical area assigned to a water purveyor for the purpose of providing both current and future public water service consistent with local land use plans. The geographic boundaries are defined by agreements among adjacent utilities and are recorded on a set of maps on file with the building and land development division, the Seattle-King County health department, and the real property division. Water service provided within a designated service area is to be consistent with local land use plans. In order to be consistent with county land use plans and policies and existing county review procedures regarding water utility comprehensive plans, a water utility's service area boundary in the context of the Coordinated Water System Plan is understood to consist of an existing service area and a planning area. An existing service area is a geographic area within which service to customers is available as specifically defined on a map in a utility's comprehensive plan which is approved by King County as consistent with its land use policies.

A planning area is the remaining geographic area identified on the service area maps contained in the Coordinated Water System Plan which is a logical area for expansion of the system. Extension of service into the planning area requires King County approval as part of the utility's comprehensive plan to make certain that the proposed utility service is consistent with land use plans and policies.

2. Land Use Policies. South King County purveyors recognize the county's land use policies and will not use water service as a vehicle to supersede the land use policies and zoning within unincorporated King County.

The purveyors may perform satellite management of all class 2, 3 and 4 water systems within their service areas as provided for by the South King County Coordinated Water System Plan.

3. Conservation Element. A water conservation program is an integral element of the South King County Coordinated Water System Plan. All purveyors shall develop a conservation element as part of their individual water comprehensive plans. The conservation program to reduce water consumption as outlined in the Coordinated Water System Plan shall be in place and operating by 1995 and will be reviewed at that time for its effectiveness by the Washington State Department of Health with assistance from the Water Utility Coordinating Committee. King county will monitor and review the effectiveness of purveyor conservation plans in conjunction with the approval of their water comprehensive plans.

1990 will be the base year used to establish the average annual per capita water consumption figure for measurement purposes, adjusted for any weather abnormalities or previous reduction as a result of an existing conservation program.

All utilities of five hundred or fewer customers shall achieve a four percent minimum total reduction in water use from the 1990 average annual per capita consumption figure (base year measurement) by 1995.

Utilities with five hundred to ten thousand customers and those utilities with greater than ten thousand customers shall achieve a 6.5 percent reduction per capita consumption figure by 1995.

A minimum total reduction in average per capita water consumption of eight percent from the 1990 base figure is the stated goal for the entire South King County Critical Water Supply Service Area by the year 2000.

B. Changes to the Plan. The Seattle-King County health department requests that the following changes to the plan be forwarded to the Washington State Department of Health for consideration during the final Washington State Department of Health approval process:

SECTION IX, Part 4 of the South King County Coordinated Water System Plan follows:

- a. 4A, 1st paragraph, insert before the last sentence:
"SKCHD maintains a database for data related to groundwater systems."
Replace the last sentence with: "However, there is currently no unified program for developing a common utility planning database for storage and use of all utility planning information."
- b. Change the first sentence of the 3rd paragraph to read:
"A database will also be maintained by the SKCHD for groundwater systems and related regulatory information using information provided by USGS, EPA, Ecology, and utilities." (Ord. 9461 §§ 1-2, 1990).

13.28.050 East King County Critical Water Supply Area. A. Establishment of Committee. A Water utility coordinating committee for the East King County CWSSA is hereby established for the purpose of implementing the Public Water Systems Coordination Act of 1977 by preparing a coordinated water supply plan.

B. Representatives. The Committee shall consist of representatives from the following agencies:

1. The King County council
2. The Seattle-King County department of public health
3. The King County department of parks, planning and resources
4. The State of Washington Department of Social and Health Services
5. Avon Villa Trailer Park
6. Ames Lake Water Association
7. Beaux Arts Water Department
8. City of Bellevue
9. City of Bothell
10. Campton Water System
11. City of Carnation
12. Cedar River Water and Sewer District
13. City of Duvall
14. Dorre Don Water System
15. Echo Glen Childrens Center
16. Four Lakes
17. Plat of Heathercrest
18. City of Issaquah
19. King County Water District No. 1
20. King County Water District No. 17
21. King County Water District No. 20
22. King County Water District No. 42
23. King County Water District No. 58
24. King County Water District No. 82
25. King County Water District No. 83
26. King County Water District No. 90
27. King County Water District No. 107
28. King County Water District No. 117
29. King County Water District No. 119
30. King County Water District No. 122
31. King County Water District No. 123
32. King County Water District No. 127

33. City of Kirkland
34. Locloman Subdivision
35. Lake Margaret
36. Maplewood Addition Water Cooperative
37. Mercer Crest Water Association
38. City of Mercer Island
39. Mirrormont Water Association
40. Mobile Home Wonderland
41. Mount Si Mobile Home Park
42. City of North Bend
43. Northeast Lake Washington Sewer and Water District
44. Northeast Sammamish Sewer and Water District
45. Overdale Park Water Association
46. Preston Industrial
47. City of Redmond
48. City of Renton
49. River Bend Homesites
50. River Bend Mobile Home Park
51. River Bend Water Association
52. Rose Hill Water and Sewer District
53. Sallal Water Association
54. Selleck Water Association
55. Shorewood Apartments
56. City of Snoqualmie
57. Spring Glen Association
58. Sunset Park Water Company
59. Trails End
60. Twenty-Three 800 Tiger Mountain
61. Union Hill Water Association
62. Wilderness Rim Maintenance Corporation
63. Woodinville Water and Sewer District
64. City of Seattle - Water Department

And all other purveyors with fifty or more service connections. Each of the listed agencies shall appoint a member and an alternate to the committee. Appointed members shall continue to serve until replaced by the appointing authority in accordance with the by-laws of the committee.

C. Rules of Procedures.

1. At the first meeting of the committee, a chairperson and rules for conducting business shall be determined by consensus.

2. Within six months of its establishment, the committee shall be responsible for developing and recommending specific external critical water supply service area boundaries to the county council in the manner prescribed in WAC 248-56-600.

3. The committee may determine, through its by-laws, whether to divide itself into sub-committees in order to more efficiently accommodate the large size of the area and complexity of issues involved. If such action is taken, a steering committee comprised of, as a minimum, the committee chair, chairs of each subcommittee, and representatives of King County, DSHS, and Seattle Water Department shall be established. Upon approval of the external boundaries, members who are excluded from the approved area may be dropped from the committee, or retained as non-voting members at their discretion.

4. Following the establishment of the external boundaries, the committee shall be responsible for developing a coordinated water system plan for the

critical water supply service area in accordance with the procedures provided in WAC 248-56-740. On completion of the plan, the committee shall submit the plan to the Washington State Department of Social and Health Services via King County which shall conduct the local review required by law. The plan shall be submitted within eighteen months of the establishment of the committee.

5. The coordinated water system plan and external critical water supply service area boundaries shall be reviewed and updated as appropriate by the committee at a minimum of every five years, or sooner if the committee deems it necessary, as prescribed in WAC 248-56-760.

D. Termination. The Water Utility Coordinating Committee shall be terminated effective January 1, 1994 unless specifically extended by ordinance. (Ord. 7894 §§ 1-4, 1986).

13.28.055 East King County Water System Plan. A. Ratification. The East King County Coordinated Water System Plan is ratified in accordance with the regulations of the Washington State Department of Health found in WAC 248-56. King County council finds the Coordinated Water System Plan to be consistent with the county's adopted land use plans and policies, as called for in RCW 70.116 and K.C.C. 13.24 and recommends its approval by the Washington State Department of Health with the following conditions:

1. Service Area. A principle requirement and objective of the Coordinated Water System Plan is the establishment of service areas to assist the water utilities in providing an effective process for the planning and development of a water system. The Coordinated Water System Plan defines a service area as a geographical area assigned to a water purveyor for the purpose of providing both current and future public water service consistent with local land use plans. The geographic boundaries are defined by agreements among adjacent utilities and are recorded on a set of maps on file with the building and land development division, the Seattle-King County health department, and the real property division. Water service provided within a designated service area is to be consistent with local land use plans. In order to be consistent with county land use plans and policies and existing county review procedures regarding water utility comprehensive plans, a water utility's service area boundary in the context of the Coordinated Water System Plan is understood to consist of an existing service area and a planning area. An existing service area is a geographic area within which service to customers is available as specifically defined on a map in a utility's comprehensive plan which is approved by King County as consistent with its land use policies.

A planning area is the remaining geographic area identified on the service area maps contained in the Coordinated Water System Plan which is a logical area for expansion of the system. Extension of service into the planning area requires King County approval as part of the utility's comprehensive plan to make certain that the proposed utility service is consistent with land use plans and policies.

2. Land Use Policies. East King County purveyors recognize the county's land use policies and will not use water service as a vehicle to supersede the land use policies and zoning within unincorporated King County.

The purveyors may perform satellite management of all class 2, 3 and 4 water systems within their service areas as provided for by the East King County Coordinated Water System Plan.

3. Conservation Element. A water conservation program is an integral element of the East King County Coordinated Water System Plan. All purveyors shall develop a conservation element as part of their individual water

comprehensive plans. The conservation program to reduce water consumption as outlined in the Coordinated Water System Plan shall be in place and operating by 1995 and will be reviewed at that time for its effectiveness by the Washington State Department of Health with assistance from the Water Utility Coordinating Committee. King County will monitor and review the effectiveness of purveyor conservation plans in conjunction with the approval of their water comprehensive plans.

1990 will be the base year used to establish the average annual per capita water consumption figure for measurement purposes, adjusted for any weather abnormalities or previous reduction as a result of an existing conservation program.

All utilities of five hundred or fewer customers shall achieve a four percent minimum total reduction in water use from the 1990 average annual per capital consumption figure (base year measurement) by 1995.

Utilities with five hundred to ten thousand customers and those utilities with greater than ten thousand customers shall achieve a 6.5 percent reduction per capital consumption figure by 1995.

A minimum total reduction in average per capita water consumption of eight percent from the 1990 base figure is the stated goal for the entire East King County Critical Water Supply Service Area by the year 2000.

B. Unresolved service area between City of Redmond and Union Hill Water Association. King County recommends to the Washington State Department of Health that the area in question be assigned as a part of Redmond's designated water service area with the following provisions:

1. The City of Redmond shall establish an implementation schedule to finalize water service arrangements to this area in a timely and reasonable manner and the area shall be addressed in their Comprehensive Water Plan updated by year end 1990. If this is not accomplished, reconsideration will be given to another service provider for the area.

2. The City of Redmond shall endorse land use and zoning as provided in the Bear Creek Community Plan and Area Zoning and shall not use water service to supersede King County land use authority. Failure to comply will cause King County to withdraw its approval of this portion of the coordinated water system plan and to decertify that particular service area for consistency with county land use plans and policies. Washington State Department of Health will be notified of this action and the consequences.

3. King County supports the City of Redmond and the Woodinville Sewer and Water District in the effort to re-examine their existing interlocal agreement regarding provision of water service in this area and to consider changes based on property ownership lines.

C. Changes to the Plan. The Seattle-King County health department requests that the following changes to the plan be forwarded to the Washington State Department of Health for consideration during the final Washington State Department of Health approval process:

SECTION XI, Part 4 of the East King County Coordinated Water System Plan follows:

- a. 4A, 1st paragraph, insert before the last sentence:

"SKCHD maintains a database for data related to ground water systems."
Replace the last sentence with: "However, there is currently no unified program for developing a common utility planning database for storage and use of all utility planning information."

- b. Change the first sentence of the 3rd paragraph to read: "A database will also be maintained by the SKCHD for groundwater systems and related regulatory information using information provided by USGSS, EPA, Ecology, and utilities." (Ord. 9462, §§ 1-3, 1990).

